



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION V
230 SOUTH DEARBORN ST.
CHICAGO, ILLINOIS 60604



Certified Mail
Return Receipt Requested

Mr. Elden Spencer, Vice President
Ohio Rubber Company
1000 Ben Hur Avenue
Willoughby, Ohio 44094

Re: Notice of Violation
Ohio Rubber Company
Willoughby, Ohio

Dear Mr. Spencer:

The enclosed Notice of Violation is issued this date pursuant to Section 113(a)(1) of the Clean Air Act, as amended (42 U.S.C. Section 1857c-8(a)(1)) to notify the Ohio Rubber Company that the Administrator finds that the company located at Willoughby, Ohio is in violation of the applicable Ohio Implementation Plan.

Section 113(a)(1) of the Act provides that if the violation continues beyond the 30th day after the date of the Notice of Violation, the Administrator of the U.S. Environmental Protection Agency (U.S. EPA) may issue an Order requiring compliance with the requirements of the implementation plan, or he may commence a civil action for appropriate relief. Section 113(c) provides for criminal penalties in certain cases and Section 306 (as implemented by Executive Order 11738 and 40 CFR 15) provides that facilities in non-compliance with the implementation plan cannot be used for Federal contracts, grants or loans.

In accordance with Section 113(a)(4) of the Act, we are offering you an opportunity for a conference to discuss the violation which is the subject of this Notice. The conference will afford Ohio Rubber Company an opportunity to present information bearing on the finding of violation, on the nature of the violation, on any efforts you have taken to achieve compliance, and on the steps you propose to take. This opportunity for a conference is in satisfaction of the requirements of Section 113(a)(4). You have a right to be represented by counsel.

In addition to the enclosed Notice of Violation we have included an Air Pollutant Emission Report. You are hereby required, under authority of Section 114 of the Clean Air Act (42 U.S.C. Section 1857c-9) to furnish the information requested in that Report with regard to sulfur dioxide, particulate matter and hydrocarbons. Said Report shall be submitted to Mr. David Kee, Chief, Air Enforcement Branch, Enforcement Division, 230 South Dearborn Street, Chicago, Illinois, 60604 prior to any conference held pursuant to Section 113(a)(4), but in no event later than

30 days after the date of this letter.

Pursuant to regulations appearing at 40 CFR Section 2.100 et seq., (41 F.R. 36902), you are entitled to assert a business confidentiality claim covering any part of the submitted information which is not emission data or necessary to determine emission data. Failure to assert such a claim makes the submitted information available to the public without further notice. Information subject to a business confidentiality may be available only to the extent set forth in the above cited regulations.

The U.S. EPA attorney in this matter is Peter Kelly. Please contact Mr. David Ullrich, Chief, Case Development Section, Air Enforcement Branch, Region V, or Mr. Kelly at (312) 353-2082 to request a conference. Such a request should be made as soon as possible but in any event no later than ten (10) days after receipt of this Notice.

Very truly yours,

James O. McDonald, Director
Enforcement Division

Enclosure

cc: Mr. Ned Williams, Director
Ohio Environmental Protection
Agency